

Introduced by Senator Chesbro

February 16, 2005

An act to amend Section 6046 of the Food and Agricultural Code, relating to agriculture.

LEGISLATIVE COUNSEL'S DIGEST

SB 295, as introduced, Chesbro. Pierce's Disease Control Program.

Existing law creates the Pierce's Disease Management Account to be used for the costs that are incurred by the state or by local entities for research and other efforts to combat Pierce's disease and its vectors.

This bill would instead specify that the funds in the account shall be used for costs incurred by the state or by county agricultural commissioners and would make those funds available a county agricultural commissioner who has created a Pierce's disease work plan, as specified.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 6046 of the Food and Agricultural Code
- 2 is amended to read:
- 3 6046. (a) There is hereby created in the Department of Food
- 4 and Agriculture the Pierce's Disease Control Program.
- 5 (b) The Governor shall appoint a statewide coordinator, and
- 6 the secretary shall provide an appropriate level of support
- 7 staffing and logistical support for combating Pierce's disease and
- 8 its vectors.

(c) (1) There is hereby created the Pierce's Disease Management Account in the Food and Agriculture Fund.

(2) The account shall consist of money transferred from the General Fund and money made available from federal, industry, and other sources. Money made available from federal, industry, and other sources shall be available for expenditure without regard to fiscal year for the purpose of combating Pierce's disease or its vectors. State general funds to be utilized for research shall only be expended when the secretary has received commitments from nonstate sources for at least a 25-percent match for each state dollar to be expended.

(d) The funds appropriated pursuant to this section to the Food and Agriculture Fund for the purpose of combating Pierce's disease and its vectors shall be used for costs that are incurred by the state or by ~~local entities~~ *county agricultural commissioners* during and subsequent to the fiscal year of the act that added this section for the purpose of research and other efforts to combat Pierce's disease and its vectors.

(e) Whenever, in any county, funds are allocated by the Department of Food and Agriculture for local assistance regarding Pierce's disease and its vectors, those funds shall be made available to ~~a local public entity, or local public entities, designated by that county's board of supervisors~~ *the county agricultural commissioner*.

(f) Funds appropriated for local assistance shall not be allocated to the ~~local public entity until the local public entity~~ *county agricultural commissioner until he or she* creates a Pierce's disease work plan that is approved by the department. Any funds allocated by the department to a ~~designated local public entity~~ *county agricultural commissioner* shall be utilized for activities consistent with the local Pierce's disease work plan or other programs or work plans approved by the department. It shall be the responsibility of the ~~designated local public entity~~ *county agricultural commissioner* to develop and implement the local Pierce's disease work plan. Upon request, the department shall provide consultation to the ~~local public entity~~ *county agricultural commissioner* regarding ~~its~~ *the* work plan.

(g) The work plan created by the ~~designated local public entity~~ *county agricultural commissioner* shall include, but is not limited to, all of the following:

1 (1) In coordination with the department, the development and
2 delivery of producer outreach information and training to local
3 communities, groups, and individuals to organize their
4 involvement with the work plan and to raise awareness regarding
5 Pierce's disease and its vectors.

6 (2) In coordination with the department, the development and
7 delivery of ongoing training of the ~~designated local public~~
8 ~~entity's~~ *county agricultural commissioner's* employees in the
9 biology, survey, and treatment of Pierce's disease and its vectors.

10 (3) The identification within the ~~designated local public entity~~
11 *office of the county agricultural commissioner* of a local Pierce's
12 disease coordinator.

13 (4) The proposed treatment of Pierce's disease and its vectors.
14 Treatment programs shall comply with all applicable laws and
15 regulations and shall be conducted in an environmentally
16 responsible manner.

17 (5) In coordination with the department, the development and
18 implementation of a data collection system to track and report
19 new infestations of Pierce's disease and its vectors in a manner
20 respectful of property and other rights of those affected.

21 (6) On an annual basis, while funds appropriated by this
22 section are available for encumbrance, the department shall
23 review the progress of each ~~local public entity's~~ *county*
24 *agricultural commissioner's* activities regarding Pierce's disease
25 and its vectors and, as needed, make recommendations regarding
26 those activities to the local public entity.

27 (h) Notwithstanding Section 7550.5 of the Government Code,
28 the department shall report to the Legislature on January 1, 2001,
29 and each January 1 while this section is operative, regarding its
30 expenditures, progress, and ongoing priorities in combating
31 Pierce's disease and its vectors in California.

32 (i) This article shall become inoperative on March 1, 2011,
33 and as of January 1, 2012, is repealed, unless a later enacted
34 statute that is enacted before January 1, 2012, deletes or extends
35 the dates on which it becomes inoperative and is repealed.